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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	10/061,944	
	<b>Filing Date</b>	February 1, 2002	
	<b>First Named Inventor</b>	Schall, Thomas J.	
	<b>Group Art Unit</b>	1646	
	<b>Examiner Name</b>		
<b>Total Number of Pages in This Submission</b>	1	<b>Attorney Docket Number</b>	019934-003210US

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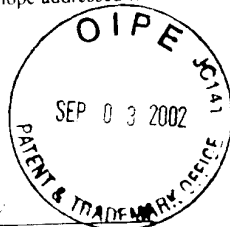
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement copies of 10 cited references  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  Return Postcard
<b>Remarks</b>		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
<b>Firm and Individual name</b>	Townsend and Townsend and Crew LLP Scott L. Ausenhus Reg. No. 42,271
<b>Signature</b>	
<b>Date</b>	August 29, 2002

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: August 29, 2002	
<b>Typed or printed name</b>	Maisie C. Livengood
<b>Signature</b>	
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PATENT  
Attorney Docket No.: 019934-003210US

On August 29, 2002  
TOWNSEND and TOWNSEND and CREW LLP

By: Maisie C. Livengood  
Maisie C. Livengood

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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas J. Schall

Application No.: 10/061,944

Filed: February 1, 2002

For: Chemomagnetic Retrieval of CMV  
and CMV Infected Cells

Examiner:

Art Unit: 1646

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Scott L. Ausenhus  
Reg. No. 42,271

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet **1** of **2**

### Complete if Known

Application Number	10/061,944
Filing Date	February 1, 2002
First Named Inventor	Schall, Thomas J.
Art Unit	1646
Examiner Name	
Attorney Docket Number	019934-003210US

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### U.S. PATENT DOCUMENTS

Examiner	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	AA	4,692,411		09-08-1987	Ghose	
	AB	5,061,237		10-29-1991	Gessler et al	
	AC	5,123,901		06-23-1992	Carew	
	AD	5,180,813		01-19-1993	Stinski	
	AE	5,750,106		05-12-1998	Ostberg	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AF	EP	0 884 383	A1	12-16-1998	Takara Shuzo Co. Ltd.		
	AG	WO	89/01813	A1	03-09-1989	Process Biotechnology Incorporated		
	AH	WO	97/40861	A1	11-06-1997	Immuno Aktiengesellschaft		

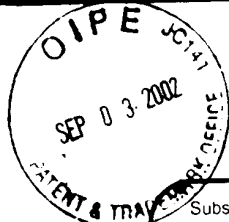
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\*EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code. <sup>4</sup>Enter serial number of the document. <sup>5</sup>Enter kind of the document. <sup>6</sup>Enter the year of the date of the filing of the application of the document.





PTO/SB/08B (10-01)

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of

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Application Number	10/061,944
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Art Unit	1646
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Attorney Docket Number	019934-003210US

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## OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AI	KUHN, DONALD E., et al., The Cytomegalovirus US28 Protein Binds Multiple CC Chemokines with High Affinity, <i>Biochemical and Biophysical Research Communications</i> ; June 6, 1995; pp. 325-330; Volume 211, No. 1	
	AJ	copy of PCT International Search Report for Application PCT/US02/03229	

Examiner Signature		Date Considered	
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